

**MINUTES OF THE MEETING OF THE
BAR-BENCH-MEDIA CONFERENCE**

A meeting of the Bar-Bench-Media Conference was held on Wednesday, December 10, 2003 at 12:30 p.m. at the New Castle County Courthouse. The members of the Conference in attendance were:

Members of the Electronic News Media:

Chris Carl
Allan Loudell

Members of the Print News Media:

Jennifer Batchelor
Rita Farrell

Members from the Bench:

Justice Randy J. Holland
Justice Jack B. Jacobs
President Judge Henry duPont Ridgely (by phone)
Chief Judge Chandlee Johnson Kuhn
Judge John K. Welch

Members from the Bar:

Don C. Brown, Esquire
David Culley, Esquire
Kathleen Jennings-Hostetter, Esquire
Michael Parkowski, Esquire

The first agenda item was the approval of the draft minutes from the October 15, 2003 meeting of the Conference. Upon motion, which was duly seconded, the minutes were unanimously approved as submitted.

The next agenda item was the proposed Administrative Directive/Rule for Expanded Media Coverage. Since Justice Jacobs is the Supreme Court Liaison to the Conference, he reported that the proposal for the Administrative Directive for Expanded Media Coverage was considered by the Supreme Court at its Administrative Meeting in September. Justice Jacobs stated that the Court decided to start the expanded media coverage of the trial courts on a conservative basis with further expansion possible after the initial experiment. The Court approved the Conference's proposal on an experimental basis for six months with the following conditions:

- 1) Experiment will take place in the New Castle County Courthouse, one courtroom in Superior Court in the Kent County Courthouse, and in the Court of Chancery Courthouse in Georgetown.
- 2) The proceedings that shall be covered during the experiment are limited to Court of Chancery and Superior Court civil non-jury trials.
- 3) Television cameras and equipment shall be hidden and unobtrusive.
- 4) Cost of equipment shall be borne by the media.
- 5) Final decision as to coverage in individual cases will be at the discretion of the trial judge.

The Chief Justice will draft an Administrative Directive that will encompass the conditions.

The price to equip one courtroom needs to be obtained, and a decision on how to cover the cost will be discussed. The AOC, through Ed Pollard, has been in contact with Courtroom 21 concerning equipment, wiring and costs to outfit a courtroom for expanded media coverage. The NCCCH currently has the conduits and the mountings for the cameras. It was noted that it might be more feasible to obtain the equipment and have it permanently installed.

Media representatives indicated that there would be little news interest in covering the civil court proceedings that the media would be allowed to cover during the experimental period. The media felt that the criminal cases would be of more news interest. The media also expressed concern about investing money in expensive equipment for an experiment. Chris Carl said he was encouraged by the approval of the experiment. He said the Court might want to consider allowing expanded media coverage of criminal sentencings since the jury and witnesses are not present at sentencings. Rita Farrell raised the issue of auditing the experiment to obtain feedback and of instituting an orderly method for issuing credentials.

The media indicated that they would like to study the draft Administrative Directive after it is prepared and have an opportunity to make comments on it. It was suggested and agreed to hold a workshop meeting in January to include the media for their input on the Administrative Directive. Justice Jacobs and Justice Holland will follow up on contacts for covering the costs.

The next item of the agenda was the Bar-Bench-Media Dinner with Panel Discussion. Discussion of this item was postponed until the next meeting of the Conference.

President Judge Ridgely asked the Conference to approve moving forward with the annual Essay Contest on "The Independence of the Judiciary and Freedom of the Press". The Conference approved the request. President Judge Ridgely said he would proceed with sending out the letters to the schools in January.

Under new business, Allan Loudell distributed a letter that he received from Patrick Mairs (copy attached) regarding access to courtrooms. President Judge Ridgely will confer with the Superior Court judges regarding access issues.

The next item on the agenda was a presentation by Richard G. Elliott, Jr., Esquire. He distributed a Seminar Outline (copy attached) regarding issues on access to courtrooms. He briefly reviewed the issues with the Conference. He will provide Steve Taylor with a copy of the Katz transcript for Steve to distribute to the members of the Conference.

The final agenda item was the scheduling of a workshop meeting concerning expanded media coverage of trial court proceedings for the media on Thursday, January 29, 2004 at 12:30 in the Carvel State Office Building, in the Supreme Court Large Conference Room. Lunch will be provided. The next regular meeting of the Conference will be held on Wednesday, March 24, 2004. Lunch will be provided.

The meeting adjourned at 1:50 p.m.

Respectfully Submitted,

December 12, 2003